



Department of Development Services
Planning Division
Meeting Minutes of the
Planning & Zoning Commission
DRAFT (Subject to Approval)

REGULAR MEETING OF THE PLANNING & ZONING COMMISSION
TUESDAY, May 8, 2012

Commissioners Present

Sandra Bobowski
David Blatt
Temple Shannon
Gerald Pleasent
Edwin Vargas, Jr.
Valerio Giadone
Anthony Koos
John Lupo, Jr.

Staff Present

Roger J. O'Brien
Don Chapman
Jeff Cormier
Lynda Crespo
Jonathan Mullen
Kim Holden

Chairwoman Bobowski called the meeting to order. Secretary O'Brien read roll call. There was a quorum.

I. Public Hearing

- a. 341 Franklin Avenue-Special Permit application for a new restaurant serving liquor with live entertainment in the B4 zoning district. Applicant & Owner-Aneka Young**

Principal Planner Don Chapman presented a summary of the application. The applicant proposed a restaurant serving alcoholic beverages with live entertainment, and no separate admission fees. He added that after the hearing notices were published, the Planning Division had received several complaints from concerned residents regarding a recent incident that occurred in the middle of the night at the subject location.

Planning staff recommended approval of the application with the following conditions:

- The applicant shall provide noise reduction measures as necessary to ensure the surrounding neighbors are not disturbed.
- No separate admission will be charged at the door for entertainment events.
- The applicant will provide and implement security measures as needed.

Chairwoman Bobowski invited the public to speak on the matter.

Carl Williams, Chair of the Southend Neighborhood Revitalization Zone (NRZ) expressed concerns about the occupancy, sufficient parking and close proximity to residential uses. In

addition, Mr. Williams stated that the noise issues occurred when the subject restaurant was unofficially open on Thursday and Saturday prior to the meeting.

The Planning Division's Director and Secretary of the Commission Roger J. O'Brien stated that the Planning Division had granted the subject property a zoning permit for a restaurant use only, but no permission was granted for the live entertainment.

Katherine Kosmaler, of Bliss Street, opposed to the proposed business stating that there were too many liquor establishments on Franklin Avenue. She expressed her concerns about the fire safety and parking issues. Ms. Kosmaler submitted a "Hart Beat Report" from the Hartford Police Department's CSO. The report indicated calls for service at the location, but did not indicate the nature of the calls. Ms. Kosmaler expressed her support for a restaurant use, but opposed to live entertainment.

Mr. O'Brien stated that the subject report referred to the events that occurred in 2009, and only one from March 2012.

Hyacinth Yennie, a neighboring resident, expressed her support for a restaurant use, but opposed to live entertainment.

Mr. O'Brien explained different types of live entertainment uses and conditions of approval that were commonly associated with them.

Chairwoman Bobowski noted that the proposed food menu was limited. It was unclear to the Commission if the proposed establishment was an entertainment place serving appetizers, or a restaurant with some entertainment.

June O'Neil, of Bliss Street, questioned why the Police Department was not issuing tickets related to the noise complaints. She also expressed concerns regarding parking along Franklin Avenue.

Aneka Young stated that the proposed business was for a restaurant/café serving food and beverages, with various types of entertainment that consisted of flat screen TV's, primarily showing sports, a pool table and a great café ambiance; she ensured the Commission that it would not become a nightclub ambiance. Ms. Young stated that during times of any large entertainment, security personnel would be present to manage patrons, to ensure safety, and to keep noise at the minimum volume. Ms. Young apologized to the members of the neighborhood as well as Carl Williams, and the Neighborhood Revitalization Committee for any disturbance that had been caused by a private function held on May 05, 2012. Ms. Young stated that significant improvements were made to the vacant facility.

The public discussion was closed.

- b. 41 Grand Street-Special Permit for the new construction of a parking lot in the R2 zoning district. Applicant-Charter Oak Health Center, Inc., Owner-City of Hartford Redevelopment Agency, Agent-Thomas Morrison**

c. 42 Grand Street-Special Permit for the new construction of a parking lot in the R2 zoning district. Applicant-Charter Oak Health Center, Inc., Owner-City of Hartford Redevelopment Agency, Agent-Thomas Morrison

On the suggestion made by Roger J. O'Brien, public hearings on the applications for 41 and 42 Grand Street were open simultaneously.

Principal Planner Jeff Cormier presented a summary of the application. The subject lots were owned by the Hartford Redevelopment Agency. The Commission unanimously forwarded a favorable recommendation to the City Council the sale of the lots to Charter Oak Health Center, for the purpose of construction of a parking lot

The planning staff recommended approval of the special permit applications with the following conditions:

- A lighting plan be submitted for approval by the Director of Planning.
- A mix of yew and arborvitae be used to landscape the perimeter of each lot instead of the boxwood to provide adequate screening. Plants should be 4 ft. tall when planted.

Glen Geathers, Neighborhood Development Specialist of the Department of Development Services Economic Division, gave a brief summary of the disposition process and agreements related to the proposal. He stated that a stipulation of the agreement was that the taxes would be collected on the subject properties.

Thomas Morrison, resident of 75 North Beacon Street and the applicant's agent, stated that the Charter Oak Health Center was developing and improving several lots in the adjacent area to meet the needs of the Center. Mr. Morrison understood and agreed to the conditions of the approval recommended by the planning staff.

Chairwoman Bobowski invited the public to speak on the matter. There were no other questions or comments from the public. The public hearing was closed.

d. 3311 Main Street-Approval of location for a general automobile repairer and used car dealer. Applicant-J & D Performance, LLC, Owner-3311 Main LLC, Agent-Jason Waller

Principal Planner Don Chapman presented the proposed project to the Commission. The subject property was located in the area of the City Streetscape Improvement Project. A variance request was granted on December 6, 1988 to allow 14 parking spaces forward of the building line. Mr. Chapman stated that the applicant had agreed to provide more landscaping in order to beautify the area, although that would result in the loss of one parking space. The improvements would include fencing, striping and resurfacing the property.

The planning staff recommended the approval of the application with the following conditions:

- The broken pay phone located on the property be removed.
- All landscaping improvements made to the property are maintained.
- The perimeter fence will not exceed six (6) feet.
- All exterior lighting will be directed on site.
- The applicant shall merge 3311 and 3309 Main Street forming one new lot of record. The application and required maps for the lot merge shall be submitted to the Director of Planning for review.
- The corner of Tower Avenue and Main Street shall be landscaped in keeping with the ongoing streetscape plan.
- The applicant shall remove the storage corral in the rear of the garage.
- The Standard City of Hartford Planning and Zoning Division Conditions of Approval for Automobile use
 - a. All debris on site shall be removed and the subject site shall be maintained in a satisfactory condition at all times;
 - b. All repair work shall be conducted inside the structure;
 - c. Discarded, disassembled and loose parts or refuse shall be stored inside the building or in a properly enclosed or screened area if outside the building;
 - d. Inoperable vehicles shall be stored inside the structure;
 - e. All parking spaces shall be striped and numbered.

The applicant Jason Waller, understood the agreed to the conditions of approval.

Commissioner Giadone suggested increasing the landscaping on both Tower Avenue and Main Street sides to add more separation between cars and a sidewalk. Mr. Waller agreed with the recommendation and stated that the wrought iron fence would be installed instead of a chain link fence.

Chairwoman Bobowski invited the public to speak on the matter. There were no other questions or comments from the public. The public hearing was closed.

II. Regular Meeting

i) Consideration of Public Hearing Items

a. 341 Franklin Avenue-Special Permit application for a new restaurant serving liquor with live entertainment in the B4 zoning district. Applicant & Owner-Aneka Young

On a motion made by Commissioner Vargas Jr., and seconded by Commissioner Lupo Jr., the meeting was tabled to May 22nd meeting.

The following Commissioners voted in favor of the motion: Bobowski, Blatt, Lupo, Jr., Shannon, Vargas Jr., Koos and Pleasant.

The following Commissioners voted in opposition of the motion: Giadone.

b. 41 Grand Street-Special Permit for the new construction of a parking lot in the R2 zoning district. Applicant-Charter Oak Health Center, Inc., Owner-City of Hartford Redevelopment Agency, Agent-Thomas Morrison

On a motion to approve the resolution with conditions made by Commissioner Lupo, Jr., and seconded by Commissioner Vargas Jr., the following resolution was approved:

- Whereas, The Planning and Zoning Commission has reviewed the application for a Special Permit for 41 and 42 Grand Street; and
- Whereas, The Planning and Zoning Commission may modify the requirements for a parking lot in a residential district; and
- Whereas, 41 Grand Street is an undersized lot and 42 Grand Street shares a curb cut with an adjacent residential building per easement agreement; and
- Whereas, The parcels are approximately 200 feet from the Charter Oak Health Center; and
- Whereas, Lighting on-site must be installed to properly illuminate the parking lots for safety purposes; and
- Whereas, Landscaping of at least four (4) feet in height is required to screen the parking lots; now be it
- Resolved, That the Planning and Zoning Commission hereby approves the application for Special Permit as shown in the plans entitled “Parking Lot Site Development, 41 and 42 Grand Street, Hartford, Connecticut, Charter Oak Health Center” prepared by CR3 LLP, 571 Hopmeadow Street, Simsbury, Connecticut, scale of 1/16”=1’ and dated March 30, 2011 for the property located at 41 and 42 Grand Street with the following conditions:
1. A lighting plan be submitted for approval by the Director of Planning.
 2. A mix of yew and arborvitae be used to landscape the perimeter of each lot instead of the boxwood to provide adequate screening. Plants should be four (4) feet tall when planted.

All of the Commissioners voted in favor of the motion.

c. 42 Grand Street-Special Permit for the new construction of a parking lot in the R2 zoning district. Applicant-Charter Oak Health Center, Inc., Owner-City of Hartford Redevelopment Agency, Agent-Thomas Morrison

On a motion made by Commissioner Vargas Jr., and seconded by Commissioner Shannon, the following resolution was approved:

- Whereas, The Planning and Zoning Commission has reviewed the application for a

Special Permit for 41 and 42 Grand Street; and

Whereas, The Planning and Zoning Commission may modify the requirements for a parking lot in a residential district; and

Whereas, 41 Grand Street is an undersized lot and 42 Grand Street shares a curb cut with an adjacent residential building per easement agreement; and

Whereas, The parcels are approximately 200 feet from the Charter Oak Health Center; and

Whereas, Lighting on-site must be installed to properly illuminate the parking lots for safety purposes; and

Whereas, Landscaping of at least four (4) feet in height is required to screen the parking lots; now be it

Resolved, That the Planning and Zoning Commission hereby approves the application for Special Permit as shown in the plans entitled "Parking Lot Site Development, 41 and 42 Grand Street, Hartford, Connecticut, Charter Oak Health Center" prepared by CR3 LLP, 571 Hopmeadow Street, Simsbury, Connecticut, scale of 1/16"=1' and dated March 30, 2011 for the property located at 41 and 42 Grand Street with the following conditions:

1. A lighting plan be submitted for approval by the Director of Planning.
2. A mix of yew and arborvitae be used to landscape the perimeter of each lot instead of the boxwood to provide adequate screening. Plants should be four (4) feet tall when planted.

All of the Commissioners voted in favor of the motion.

d. 3311 Main Street-Approval of location for a general automobile repairer and used car dealer. Applicant-J & D Performance, LLC, Owner-3311 Main LLC, Agent-Jason Waller

On a motion made by Commissioner Blatt, and seconded by Commissioner Lupo Jr., the following resolution was approved:

Whereas: The Planning and Zoning Commission has received an application requesting an approval of location for a used car dealership and general auto repair establishment at 3311 Main Street; and

Whereas: The applicant proposes to have no more than eleven (11) vehicles for sale at any time; and

- Whereas: The subject property is located in the B-3 zoning district which permits used car sales and general automobile repair; and
- Whereas: The applicant's proposal is consistent with Plan of Conservation and Development;
- Resolved: The City of Hartford Planning and Zoning Commission approves the application for an Approval of Location for a used car dealership and general auto repair business at 3311 Main, LLC, 44 Warren Street, Hartford, CT, dated April 25, 2012 with the following conditions:
1. The broken pay phone located on the property is removed.
 2. All landscaping improvements made to the property are maintained.
 3. The perimeter fence will not exceed six (6) feet.
 4. All exterior lighting will be directed on site.
 5. The applicant shall merge 3311 and 3309 Main Street forming one new lot of record. The application and required maps for the lot merge shall be submitted to the Director of Planning for review.
 6. The corner of Tower Avenue and Main Street shall be landscaped in keeping with the ongoing streetscape plan.
 7. The applicant shall remove the storage corral in the rear of the garage.
 8. The Standard City of Hartford Planning and Zoning Division Conditions of Approval for Automobile use:
 - a. All debris on site shall be removed and the subject site shall be maintained in a satisfactory condition at all times;
 - b. All repair work shall be conducted inside the structure;
 - c. Discarded, disassembled and loose parts or refuse shall be stored inside the building or in a properly enclosed or screened area if outside the building;
 - d. Inoperable vehicles shall be stored inside the structure;
 - e. All parking spaces shall be striped and numbered.

The following Commissioners voted affirmatively: Bobowski, Blatt, Lupo, Jr., Shannon, Giadone, Vargas Jr., Koos and Pleasent.

ii) Site Plan Review

- a. 54 & 58 Huntington Street-New construction of two single family dwellings. R2 zoning district. Applicant-Habitat for Humanity, Owner-Asylum Hill Congregational Church, Agent-Burt Mitchell**

Principal Planner Jeff Cormier presented a summary of the application. Mr. Cormier reported that although the proposal met lot requirements, single family residences were not consistent with the Medium Density Residential POCD designation and adjacent properties. In addition, in 2007 a twelve-unit apartment complex was approved by the Planning and Zoning Commission, but was never developed. The planning staff recommended the application to be either tabled or

denied without prejudice, to give the applicant an opportunity to work with staff on a proposal that would be compatible with the Plan of Conservation and Development (POCD) and the surrounding properties/uses.

Roger J. O'Brien stated that the subject proposal was not consistent with One City One Plan or design guidelines, but it was possible to design housing that was keeping with the flow and rhythm of the street.

On a motion made by Commissioner Lupo Jr., and seconded by Commissioner Vargas Jr., the item was tabled.

All of the Commissioners voted in favor of the motion.

iii) Consideration of the West End Civic Association Strategic Plan

Principal Planner Jeff Cormier presented a summary of the West End Association Strategic Plan to the Commission. The Commission discussed the proposed rezoning of the B-3 and B-4 commercial districts into a new Neighborhood Business Zone.

Kathleen Sandin, Vice President of the West End Civic Association gave a brief summary of the proposed plan.

Roger J. O'Brien inquired about the search for more recreational uses behind Sisson Avenue. Mr. O'Brien had received the WECA newsletter earlier in the day, which talked about improvements to Elizabeth Park.

Tony Matta, City of Hartford Architect, stated that there were no CIP funding available for Elizabeth Park at that moment. Mr. Matta informed the Commission that the Friends of Elizabeth Park had grant funding for the area of the old caretaker house and the green house.

Mr. O'Brien explained the procedure regarding adoption of NRZ plans.

On a motion made by Commissioner Lupo Jr., and seconded by Commissioner Vargas Jr., the West End Civic Association Strategic Plan was adopted and a favorable recommendation would be forwarded the City Council.

All of the Commissioners voted in favor of the motion.

iv) CGS 8-24 Review

a. Cronin Park Improvements Project

Tony Matta, City of Hartford Architect, presented a summary of the proposed improvements to Cronin Park. The improvement plan was supported by the Blue Hills NRZ; a letter of support was submitted for the record. Mr. Matta stated that State funding was available for the playground and swimming pool, and the City funding was available for overall park improvements. Construction was scheduled to start late Summer, and completed by the Fall. The

proposed project would improve significant water problems and drainage issues in the area. The proposed playground consisted of standard play structure with a safety surface beneath it, and a spray pool. Ornamental fencing would be added around the playground and spray pool area for safety purposes. There was no concession stand proposed for the park.

Mr. O'Brien informed Mr. Matta that the Livable and Sustainable Neighborhood Initiative (LSNI) created a list of priorities that included funding for concession stands in the parks.

On a motion made by Commissioner Giadone, and seconded by Commissioner Vargas Jr., the proposal was approved and a favorable recommendation was sent to the City Council for a consideration.

All of the Commissioners voted in favor of the motion.

III. New/Old Business

a. Bond Release for 550 Farmington Avenue

Roger J. O'Brien reported to the Commission that the applicant had fully complied with all conditions and requirements.

On a motion made by Commissioner Giadone, and seconded by Commissioner Blatt, the following resolution was approved:

Whereas, The City of Hartford Planning and Zoning Commission has reviewed the Bond Release request from the Planning Division; and

Whereas, The applicant has complied with all conditions and requirements; and

Whereas, The conditions and requirements included landscaping, a new pole light in the shopping center's parking area; and

Whereas, The applicant also screen all dumpsters from view; and

Whereas, The improvements have improved the surrounding neighborhood;
Now Therefore Be it

Resolved, That the City of Hartford Planning and Zoning Commission hereby approves the Bond Release for Phoenix Realty Management for the property located at 550 Farmington Avenue.

All of the Commissioners voted in favor of the motion.

b. Update on pending Special Permit application at 35 Maxim Road

The special permit application was submitted for four, 5 natural gas pumps, to serve the trucks that were located on the site. After review, planning staff found that the last approval for the

subject site was for a lumber yard, and there were multiple uses without permits on the site. Planning director Roger J. O'Brien stated that the landlord was informed about the need for zoning approvals. The application was determined to have been incomplete by the planning staff.

Principal Planner Jon Mullen presented the Special Permit Application to the Commission. Mr. Mullen stated that there were several uses on the property, and it was unclear how the proposed use was related to the existing uses.

Mr. O'Brien reported that the proposal originally included gas pumps as an accessory use for the trucks located at the property. After that, the proposal changed to leasing the portion of a lot to someone, to open a natural gas station. Mr. O'Brien explained that the proposal was not a standalone gas station or an accessory use, but it was a principal freestanding use. After having learned about the issues at the site, the Commission agreed with the decision of the Planning Division staff, that the application was incomplete.

IV. Adjournment

Respectfully submitted by
Lynda Crespo

Roger J. O'Brien, Planning Director/Secretary